

## Message Text

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64

ORIGIN L-03

INFO OCT-01 AF-10 ISO-00 SCS-03 SCA-01 H-03 SSO-00 RSC-01

/022 R

DRAFTED BY L/AF:MASPIEGEL:MMP

APPROVED BY L/AF:BKHUFFMAN

AF/C:JHDIGGS

SCA/SCS:CAANDERSON (SUBS)

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O 182143Z JAN 74

FM SECSTATE WASHDC

TO AMEMBASSY TANANARIVE IMMEDIATE

C O N F I D E N T I A L STATE 011862

E.O. 11652: GDS

TAGS: CASC, MA

SUBJECT: REPPAS

REF: TANANARIVE 59

1. DEPT UNABLE TO OFFER FINAL OPINION CONCERNING DEMARCHE UNTIL COURT DECISION TRANSLATED INTO ENGLISH. DUE TO COMPLEXITY, LENGTH, AND ILLEGIBILITY OF DECISION TRANSLATION TAKING MORE TIME THAN EXPECTED. HOPEFULLY COMMENTS WILL BE READY BEFORE START OF APPEAL.

2. ON PRELIMINARY BASIS, DEPT BELIEVES THAT IF REPPAS IN FACT INSTIGATED PRESS AND LETTER WRITING CAMPAIGN TO MALIGN MALAGASY JUDICIARY IT WOULD BE INAPPROPRIATE TO REGARD GOMR'S INCLUSION OF THIS FACTOR IN REPPAS' SENTENCE AS DENIAL OF JUSTICE TO AMCIT AND THUS LEGAL BASIS FOR DEMARCHE. EVEN IN US CONTEMPT PENALTY MAY BE APPLIED TO PERSON WHO MALIGNS US COURT. SEVERITY OF SENTENCE FOR SUCH ACTIONS HOWEVER MIGHT BE BASIS FOR EXPRESSION OF CONCERN BUT EVALUATION THIS POSSIBILITY SHOULD AWAIT COMPLETION OF APPEAL. IN CONTRAST, IF REPPAS IN FACT INNOCENT VICTIM OF GOMR REACTION TO FREE PRESS DEPT BELIEVES MATTER WORTH PURSUING WITH GOMR. ABOVE DISTINCTION WOULD APPLY REGARDLESS OF AVAILABILITY OF EVIDENCE TO GOMR.

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3. IN YOUR DISCRETION, YOU MAY DISCUSS GENERAL IDEA OF DEMARCHE WITH LEBAL; PURPOSE OF DISCUSSION WOULD BE TO ASCERTAIN HIS VIEWS OF LEGAL MERITS OF INCREASING PENALTY

FOR PRESS REPORTS AND LETTER WRITING AS WELL AS ANY OTHER PROCEDURAL DEFECT HE MAY NOTE. EMBASSY SHOULD MAKE CLEAR THAT NO DEMARCHE PLANNED AT THIS TIME BUT COULD BE IN ORDER IF REPPAS BEING PUNISHED FOR PRESS ACTIONS HE HAD NOTHING TO DO WITH OR HAS BEEN DISCRIMINATED AGAINST IN ANY OTHER WAY.

4. BELIEVE APPROACH OUTLINED REF PARA 2 FOR ORAL DEMARCHE ESSENTIALLY CORRECT IF DEMARCHE IN FACT TO TAKE PLACE AND THAT NO WRITTEN DEMARCHE SHOULD BE MADE AT THIS TIME. RUSH

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CITIZEN PROTECTION, TRIALS  
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**Draft Date:** 18 JAN 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
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**Reference:** TANANARIVE 59  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 03 SEP 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <03 SEP 2002 by boyleja>; APPROVED <10 DEC 2002 by golinofr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Subject:** REPPAS  
**TAGS:** CASC, PFOR, MA, (REPPAS, GEORGE)  
**To:** TANANARIVE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005